

Utah's "Lemon Law" law requires that if a new vehicle is replaced or repurchased by a manufacturer due to an alleged "nonconformity," that the Utah title be stamped with a "brand" stating "MANUFACTURER BUYBACK NONCONFORMING VEHICLE." Utah law defines a nonconformity as:

"a defect, malfunction, or condition that fails to conform to the express warranty, or substantially impairs the use, safety, or value of a motor vehicle." (41-3-406 to 414)

However, the law states a "nonconformity" does NOT include a defect, malfunction, or condition that results from an accident, abuse, neglect, modification, or alteration of a motor vehicle by a person other than the manufacturer, its authorized agent, or a dealer.

The law also requires the manufacturer or any future seller – dealer or individual – to disclose to a potential buyer, in writing, and in a "clear and conspicuous manner," the fact that the vehicle is a manufacturer buyback.

Disclosure Statement

Utah statute requires the following disclosure language to be contained in each contract for the sale or lease of a buyback vehicle or a nonconforming vehicle to a consumer.

DISCLOSURE STATEMENT Vehicle Identification Number (VIN): _____
Year:_____ Make:_____ Model:_____ Prior Title Number:_____ State of
Title:_____ Odometer Reading:_____ This is a used motor vehicle. It
was previously returned to the manufacturer or its agent in exchange for a replacement motor
vehicle or a refund because it was alleged or found to have the following nonconformities:
(nonconformities are listed) THIS DISCLOSURE MUST BE GIVEN BY THE SELLER TO THE
BUYER EVERY TIME THIS VEHICLE IS RESOLD _____
_____ Buyer's Signature _____ Date